

In The United States District Court  
For The Western District of Virginia  
Charlottesville Division

Sines, et al, Plaintiffs vs.

Kessler, et al, Defendants

Civil Action 3:17-cv-00072

CLERK'S OFFICE U.S. DIST. COURT  
AT CHARLOTTESVILLE, VA  
FILED

12/22/2021

JULIA C. DUDLEY, CLERK  
BY: H. Wheeler  
DEPUTY CLERK

Defendant's Motion to ~~Extend~~ Post Trial  
Deadlines by 60 Days, and Provide Documents.

Comes now, the Defendant, Christopher  
Cantwell, and he moves this Court  
to extend all post trial deadlines by  
60 days. In support, he states as  
follows,

- 1.) Per his sworn declaration dated December  
21st 2021, Cantwell was moved  
from the Central Virginia Regional Jail  
on December 20<sup>th</sup>, and placed into a  
restrictive quarantine at USP Marion.
- 2.) During that move, Cantwell was, once  
again, stripped of all his papers, for the  
5<sup>th</sup> time this year.
- 3.) Cantwell has previously notified this Court, on  
~~12-9-2021~~ 12-9-2021 and 12-16-2021, and  
12-18-2021, of Plaintiffs' failure to  
include him in post trial correspondence,  
most notably their having falsely told the  
Court that the parties had met and conferred  
about the post trial schedule.
- 4.) In those same above referenced ~~communication~~  
communications, Cantwell has informed the  
Court of continuing troubles at the CURJ.



5.) Unaware of this post trial schedule, Cantwell submitted a post trial motion for judgment as a Matter of Law and/or a New Trial, and/or Remittitur, dated 11-29-2021.

6.) Responding to an "inquiry" not delibered to Cantwell, the Court granted Plaintiffs until February 7<sup>th</sup>, in line with the aforementioned schedule, to respond to Cantwell's motion.

7.) Through this, Plaintiffs have gained an unfair advantage over Cantwell by excluding him from post trial correspondence, and thereby gaining extra time to respond while Cantwell operated under a false deadline.

8.) Accordingly, Cantwell moved that Plaintiffs' unserved filings be ~~stricken~~ stricken from the record, and his motion be treated as unopposed.

9.) Should the Court deny the motion referenced above, Cantwell proposes the following alternative.

10.) Postpone all post trial deadlines by 60 days.

11.) Make available to Cantwell a full trial transcript, the operative Complaint, and all filings after October 4<sup>th</sup> 2021.



(12.) Order USP Marion to allow Cantwell to possess these documents in his cell, and not to delay delivery thereof. The Court had "declined as moot" Cantwell's pretrial motions regarding conditions at USP Marion, but alas, the saga yet continues. Prison staff have actively interfered in Cantwell's trial preparations, and if this interference continues he'll have no opportunity to fairly participate in post trial matters.

(13.) The playing field, it should be noted, cannot be "leveled" at this juncture. This, like the motion to sever, is a band aid on a bullet wound. Plaintiffs' misconduct and accompanying government interference have irreparably damaged Cantwell's defense and the reputation of these proceedings. However, these measures will at least allow Cantwell to fully articulate his positions to the Court.

Respectfully Submitted,  
Christopher Cantwell  
12-24-2021





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December 21<sup>st</sup> 2021 Sworn Declaration  
of Christopher Cantwell Regarding  
Transport and Quarantine.

I, Christopher Cantwell do aver under  
penalty of perjury on this 21<sup>st</sup>  
day of December 2021 that the  
following is true and correct.

1.) My name is Christopher Cantwell, and I  
am an indigent, incarcerated, pro  
se Defendant in the above styled  
case.

2.) I have recently sent this Court other  
sworn declarations dated 12-16-21 and  
12-9-21, and 12-18-21, regarding conditions at the  
Central Virginia Regional Jail and the  
failure of Plaintiffs' counsel to include  
me in post trial correspondence. These  
were sent by postal mail.

3.) In the pre-dawn hours of December  
20<sup>th</sup>, 2021, I was awakened by  
CVRJ staff and instructed to pack  
my things because I was being  
moved.

4.) Later that day I arrived at the  
United States Penitentiary in Marion, IL.



- 5.) I was not allowed to take anything with me during transport. Not even my legal papers.
- 6.) I asked ~~a~~ ~~the~~ the UVRJ staff to call a friend of mine who is a Virginia resident, and let her pick up my papers. They indicated they would do so.
- 7.) USP Marion has not approved my contact with this Virginia resident, I have no way of communicating with her, and "3rd Party Contact" is against the rules here.
- 8.) I have been placed in a 2 week quarantine at USP Marion. I was told I would not be able to access my property until after that quarantine.
- 9.) The legal papers I had collected at USP Marion before being transported for trial are in my property.
- 10.) I do not have access to ~~the~~ ~~phone~~ typewriters or shaving razors or other common amenities of a Correctional facility while in quarantine.
- 11.) I have no reason to believe the many issues I notified the Court about before trial have been resolved at USP Marion.

12.) On December 21<sup>st</sup> Case Manager Simpkin said he should be able to get me some of my property, to include legal papers, before the end of quarantine.

13.) No mail was delivered to me at mail call on December 21<sup>st</sup> at USP Marion.

Having so averred, I sayeth no more under oath.

Respectfully submitted,  
Christopher Cantwell  
12-21-2021